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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/866,060
		Filing Dat	May 25, 2001
		First Named Inventor	Whittaker, James
		Group Art Unit	1633
		Examiner Name	
Total Number of Pages in this Submission	12	Attorney Docket Number	HME/7477.006

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit(s)/Declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Part(s)/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an application) <input type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition To Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) Sequence Listing (paper and computer readable copy) Statement of identity of paper and computer copies of Sequence Listing Copy of Notice of Incomplete Reply Acknowledgment postcard
Remarks:		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	Howard Eisenberg, Esq. 1600 ODS Tower, 601 S.W. Second Avenue Portland, Oregon 97204-3157
Signature	
Date	December 6, 2001

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date.			
Type or print name	Howard Eisenberg		
Signature		Date	December 6, 2001



FEE TRANSMITTAL
for FY 2002

Patent fees are subject to annual revision.

Complete if Known

Application Number 09/866,060

Filing Date May 25, 2001

First Named Inventor Whittaker

Examiner Name

Group/ Art Unit 1633

Attorney Docket No. HME/8134.003

TOTAL AMOUNT OF PAYMENT \$460

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge the indicated fees and credit any over payments to:

Deposit Account Number 50-1773

Deposit Account Name Howard M. Eisenberg

☒ Charge any additional fee required under 37 CFR 1.16 & 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed

☐ Check ☒ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) \$0

2. EXTRA CLAIM FEES

Extra Claims		Fee from below	Fee Paid
Total Claims	15 - 20** = 0	9	0
Indep. Claims	5 - 5** = 0	42	0
Multiple Dependent			0

*or number of previously paid, if greater. For reissues, see below.

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	*Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$0

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205		65 Surcharge - late filing fee or oath	
127	50	227		25 Surcharge-late provisional filing fee or cover sheet	
139	130	139		130 Non-English specification	
147	2,520	147	2,520	For filing a request for ex-parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1840*	113	1840*	Requesting publication of SIR after Examiner action	
115	110	215		55 Extension for reply within first month	
116	400	216		200 Extension for reply within second month	
117	920	217		480 Extension for reply within third month	460
118	1,440	218		720 Extension for reply within fourth month	
128	1,960	228		980 Extension for reply within fifth month	
119	320	219		160 Notice of Appeal	
120	320	220		160 Filing a brief in support of an appeal	
121	280	221		140 Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240		55 Petition to revive - unavoidable	
141	1,280	241		640 Petition to revive - unintentional	
142	1,280	242		640 Utility issue fee (or reissue)	
143	460	243		230 Design issue fee	
144	620	244		310 Plant issue fee	
122	130	122		130 Petitions to the Commissioner	
123	50	123		50 Processing fee under 37 CFR 1.17(q)	
126	180	126		180 Submission of Information Disclosure Stmt.	
581	40	581		40 Recording each patent assignment per property (times number of properties)	
146	740	246		370 Filing a submission after final rejection (37 C.F.R. 1.129(a))	
149	740	249		370 For each additional invention to be examined (37 C.F.R. 1.129(b))	
179	740	279		370 Request for Continued Examination (RCE)	
169	900	169		900 Request for expedited examination of a design application	

Other (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$460

SUBMITTED BY

Complete (if applicable)

Name (print type) Howard Eisenberg

Registration No.

36,789

Telephone

(503) 227-5631

Signature

Howard Eisenberg

Date

December 6, 2001



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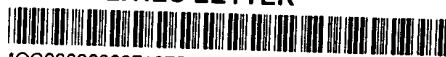
APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/866,060	05/25/2001	James W. Whittaker	HME/8134.003

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CONFIRMATION NO. 4178

FORMALITIES LETTER



OC000000007137548

Date Mailed: 11/29/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 08/13/2001 to the Notice to File Missing Parts (Notice) mailed 08/02/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE